

PATENT
Docket No. 2207/13056

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 03 2005

APPLICANT : Vedvyas SHANBHOGUE
SERIAL NO. : 10/000,335
FILED : December 4, 2001
FOR : ROLLING SOFTWARE UPGRADES FOR FAULT TOLERANT
SYSTEMS
GROUP ART UNIT : 2114
EXAMINER : Timothy M. BONURA

Mail Stop Petition

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this Appeal Brief is being facsimile transmitted to the Patent and Trademark Office, Fax No. 571.273.8300, on October 3, 2005.

Pilar Rodriguez
Pilar Rodriguez

PETITION UNDER 37 C.F.R. 1.137(b)
TO REVIVE PATENT APPLICATION ABANDONED UNINTENTIONALLY

SIR:

Applicant respectfully requests revival of the above-identified patent application as permitted under 37 C.F.R. § 1.137(b). The above-identified application became abandoned for failure to file a Notice of Appeal in response to the Final Office Action dated March 22, 2005. The six-month due date for a timely response was September 22, 2005. A response to the Final Office Action was filed properly, but an accompanying Notice of Appeal was inadvertently left out.

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional. The Notice of Appeal is being filed concurrently with this Petition.

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Serial No.: 10/000,335

Petition to Revive dated October 3, 2005

The petition fee for revival of an unintentionally abandoned patent application pursuant to 37 C.F.R. §1.17(m) is \$1,500.00. The Commissioner is authorized to charge the above fees to Kenyon & Kenyon Deposit Account No. 11-0600. The Commissioner is authorized to charge any additional, necessary fees for the revival of this case to Kenyon & Kenyon Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter regarding this petition.

Respectfully submitted,

KENYON & KENYON.

Dated: October 3, 2005

By:


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